HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 973 of 2006 (MS)

Pooran Singh S/o Bhav Singh, Village Pipli Pattti Sarjula, District Tehri Garhwal …….. Petitioner

Versus

1. Commissioner, Workman Compensation, Tehri Garhwal
2. Rajendra Sahu S/o Sri Vishnudhari, Village Sambhal, Thana Sisai, Post Kangra, District Gumla Jharkhand
3. Charat Singh S/o Puran Singh Village Pipli Patti Sarjula, District Tehri Garhwal ….. Respondents

Sri K.N. Joshi, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 28.7.2006

Hon'ble Rajesh Tandon, J.

The present writ petition has been filed against the award-dated 12.7.2006 passed by the Commissioner, Workmen Compensation, Tehri Garhwal.

Appeal lies against an award passed under Workmen Compensation Act, and as such writ petition is not maintainable on the ground of alternative remedy. However, liberty is given to the petitioner to file appeal before appropriate Court along with application for condonation of delay under section 5 of the Limitation Act.

Accordingly, writ petition is dismissed on the ground of alternative remedy.

Dated: 28.7.2006 **Rajesh Tandon, J.**
*Dhyani